

**ENTERED**

February 07, 2017

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

JOSE ANGEL MUNOZ-MORALES,  
Petitioner,

V.

UNITED STATES OF AMERICA,  
Respondent.

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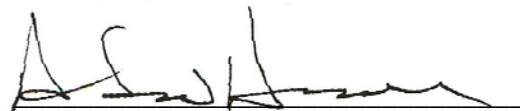
CIVIL ACTION NO. B-16-177  
(CRIMINAL NO. B-15-1053-3)

**ORDER**

On January 9, 2017, the United States Magistrate Judge filed a Report and Recommendation. [Doc. No. 15]. Petitioner has filed his Reply to the United States' Motion to Dismiss. [Doc. No. 17].

Having considered *de novo* the Magistrate Judge's Report and Recommendation and the issues raised by Petitioner in his Reply to the Government's Motion to Dismiss, the Court orders that the Magistrate Judge's Report and Recommendation is hereby adopted. Therefore, Petitioner Jose Angel Munoz-Morales' Motion to Vacate, Set Aside or Correct his Sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is dismissed as waived. Alternatively, the motion is denied as meritless. The issuance of a Certificate of Appealability is denied.

Signed this 7<sup>th</sup> day of February, 2017.



Andrew S. Hanen  
United States District Judge